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MEDICAL GROUP, LLP dba UNIVERSITY
URGENT CARE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

Plaintiffs,

vs.

RUSSELL J. SHAH, M.D.; DIPTI R. SHAH,
M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI
R. SHAH, MD, LTD.; and RADAR MEDICAL
GROUP, LLP dba UNIVERSITY URGENT
CARE, Does 1-100, and ROES 101-200,

Defendants.

AND RELATED CLAIMS.

Case No. 2:15-cv-01786-APG-DJA

**STIPULATION AND ORDER TO
TAKE ALLSTATE INSURANCE
COMPANY'S FED. R. CIV. P. 30(B)(6)
DEPOSITION OUTSIDE THE CLOSE
OF DISCOVERY**

1 Defendants and Counterclaimant Russell J. Shah, M.D., Dipti R. Shah M.D., Russell J. Shah,
2 MD, Ltd., Dipti R. Shah, MD, Ltd., and Radar Medical Group, LLP d/b/a University Urgent Care
3 (collectively, the “Radar Parties”) and Plaintiffs/Counterdefendants Allstate Insurance Company,
4 Allstate Property & Casualty Insurance Company, Allstate Indemnity Company, and Allstate Fire &
5 Casualty Insurance Company (collectively, the “Allstate Parties”), by and through their respective
6 attorneys of record, stipulate and agree as follows:

7 1. On May 9, 2022, counsel for the Radar Parties sent a draft Notice of Videotaped
8 Deposition of Counterdefendant Allstate Insurance Company Pursuant to Federal Rule of Civil
9 Procedure 30(b)(6) to counsel for the Allstate Parties and requested dates in early June 2022 to
10 schedule the deposition;

11 2. On May 20, 2022, counsel for the Allstate Parties requested an opportunity to meet
12 and confer regarding the four (4) topics listed in the notice and indicated that the early part of June
13 2022 did not work for taking the deposition due to pre-existing scheduling conflicts;

14 3. On May 23, 2022, Joshua P. Gilmore, on behalf of the Radar Parties, and Todd W.
15 Baxter, on behalf of the Allstate Parties, participated in a telephonic meet and confer related to the
16 topics listed in the notice. At the conclusion of the call, Mr. Gilmore indicated that he would
17 formally serve the notice, setting the date and time of the deposition for June 13, 2022, at 9:00 AM,
18 with the understanding that the parties would find a mutually-convenient date and time for the
19 deposition after the close of discovery;

20 4. The parties are continuing to meet and confer regarding the topics under the 30(b)(6)
21 notice and a mutually-convenient date and time for the Fed. R. Civ. P. 30(b)(6) deposition. The
22 Allstate Parties are also still determining whether one or more individuals will be designated to
23 testify on their behalf;

24 5. Although discovery closes in this matter on June 13, 2022, the Radar Parties may
25 proceed with the Fed. R. Civ. P. 30(b)(6) deposition outside the close of discovery and use the
26 transcript as if the deposition had been taken during discovery; and

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28 ///

6. This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 8th day of June, 2022.

DATED this 8th day of June, 2022.

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

BAILEY ♦ KENNEDY

By: /s/ Todd W. Baxter
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Attorneys for Defendants & Counterclaimant

Attorneys for Plaintiffs/Counterdefendants

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: June 9, 2022